



CITY COUNCIL

Public Safety Committee

Monday, March 3, 2008
Meeting Report

Attendance: D. Sterner, Chair, S. Marmarou, M. Goodman-Hinnershitz

Others City Staff Attending: L. Churchill, C. Younger, W. Heim, J. Khokhar, B. Reinhart, L. Lee, S. Katzenmoyer

I. Funeral Parking

Mr. Lee read a prepared statement. He noted that most funerals held in the City are not problematic and that the Feeney Funeral Home is a repeat offender. He noted that "No Parking" signs are available for \$1.00 each for single use signs or \$30 each which are good for a one year period. He noted that up to eight signs can be placed in a block.

Chief Heim noted that he had previously spoken to Ms. Reed. He noted the Police Department's willingness to have the hearse and family car double park to unload if necessary and return when the service is over. He does not believe vehicles should be double parked for the entire service. He noted how this sets precedence for other residents and causes traffic flow problems. He noted that police can assist with large funerals if advance notice is given.

Ms. Reed, a member of the Parking Authority, noted her reporter background and the fact that she has done research on this topic in other Pennsylvania cities such as Allentown, Bethlehem and York. She noted her desire to address this issue now before it becomes more problematic. She would like the ordinance reviewed and an exception for funerals in the ordinance. She also noted she would like funeral homes to have permits for free so they don't have to pass this additional expense on to the grieving families. She suggested only police officers be allowed to ticket for double parking at funerals. She noted this is a black eye to the City.

Mr. Marmarou noted that double parking cannot be eliminated. He noted that some City churches have parking lots that are under-utilized. He suggested the church call to report when cars are parked in their lot when they are not conducting church business and reiterated that

streets cannot be blocked for extended time frames. Ms. Reed noted that churches fear retribution against their property for reporting illegal activities.

Ms. Goodman-Hinnershitz noted that this is a large public safety issue. She noted the large risk associated with double parking. She noted that each location is different and each should work to find a suitable solution. She questioned Chief Heim if officers are available for this type of duty. Chief Heim noted it would be a long response time if the police are called. Mr. Lee requested the Parking Authority not be removed from the ticketing process for funerals. Mr. Sterner agreed noting police officers should be working on other problems. He also noted that ticketing is what the Parking Authority has been charged with. He agreed that a procedure for funerals may be needed.

Ms. Reed noted the inconsistency of tickets being issued at funerals and at Reading School District buildings at drop off and dismissal times.

Mr. Sterner suggested that the Parking Authority work with funeral directors. Mr. Lee noted that they are ticketed only if they are there the entire time of the funeral. He must rely on the word of his supervisors. If they are loading/unloading, no tickets are issued.

Mr. Marmarou questioned Mr. Lee on the procedure to appeal a ticket due to a funeral. Mr. Lee noted that if he has the circumstances, he will forgive the ticket. However, one case where a ticket was issued was due to a hearse being parking on Penn St against the flow of traffic. He also rescinded this ticket.

Ms. Goodman-Hinnershitz noted that attendees at funerals are being guided by their emotions. She noted that funeral directors should have a staff member assisting with directing vehicles to available parking. She does not wish to use the police department for this duty.

Ms. Reed noted that she has samples of other city's ordinances. She will be forwarding them to the Parking Authority and to members of Council.

Mr. Sterner suggested that Mr. Lee draft a letter to funeral parlors. Mr. Lee noted that they contact them on an annual basis regarding parking signs and would be glad to add language to the letter instructing them of double parking and directing vehicles to available parking. He noted it would be an education process. He will send a draft of the letter for Council's review.

II. Disruptive Tenant Ordinance

Mr. Younger suggested several amendments to the ordinance. He noted there is case law against portions and that must also be amended. He is working to have property owners diligently pursue the eviction process in a timely manner. A timeframe cannot be included in the ordinance due to the timing of the judicial system. The Committee noted their desire to eliminate all interpretative clauses.

Mr. Younger noted that due process must be followed. Ms. Goodman-Hinnershitz and Mr. Marmarou noted that the process takes too long. Mr. Marmarou noted that students are not out of problem properties before the end of their term.

Ms. Katzenmoyer noted that the Kutztown ordinance pulls the property's permit after two DCRs and the property is shut down. Mr. Khokhar suggested that the process begin after one DCR. The Committee felt that was too quickly.

Mr. Marmarou suggested we model after the Kutztown Ordinance. Mr. Reinhart noted that the process must then become part of Codes. There was a discussion of the appeal process. Regardless of the process used, the tenant can remain in the building during the appeal process. Chief Heim noted that this could penalize good landlords for the behaviors of bad tenants. Mr. Reinhart noted that the owner can reapply for the permit after there has been a change in tenants.

Ms. Goodman-Hinnershitz stated that she thought this would make landlords more proactive. Mr. Reinhart noted that the Kutztown Ordinance will cause them to lose revenue. He also noted that there is no waiting period once the tenants have changed. Mr. Khokhar noted that bad behavior should not be condoned. Mr. Churchill noted that most people correct their behaviors after one offense.

Mr. Sterner and Chief Heim noted that they did not want to have two levels of DCRs as the Kutztown Ordinance has. They would like the process to be as simply as possible. Mr. Khokhar noted that the current DCR Board has the attitude that the City should be as strict as possible.

The Committee does not wish to adopt an ordinance similar to Kutztown.

III. Housing Permit Process Update

Mr. Khokhar reviewed the update distributed to Council. He noted that enforcement cannot begin until all the applications have been processed.

Mr. Sterner questioned how many owners have not yet applied. Mr. Khokhar noted that at this point it is difficult to predict; however, those applying late will pay the penalty fee. He noted that the majority of owners are trying to comply. There is an estimate of 14,000 rental units in the City.

Mr. Sterner questioned how the remaining units will be found. Mr. Khokhar noted that information is being requested from the County and the Post Office. He also noted Ms. Kelleher's research has helped them locate additional units. Ms. Goodman-Hinnershitz questioned if Children and Youth Services could provide addresses as they probably see some of the worst areas. It was felt that they will probably not share information.

Mr. Khokhar and Mr. Reinhart noted that a spreadsheet has been compiled and progress is being made.

There was discussion of student housing. It was suggested that the best possible solution to the Albright housing issue may be to declare portions of that neighborhood as an historic district or a neighborhood preservation overlay. Mr. Sterner requested that be explored by the Land Use Committee.

IV. Party Permit Ordinance

Chief Heim noted that he reviewed the ordinance. He questioned the impetus. Ms. Katzenmoyer noted that it was initiated by ____ Johnson and ____ Evans in response to the incident in the City where a large party was taking place and a guest went home to retrieve his gun, returned to the party, and shot several in attendance. She noted that this is based on an ordinance in Bloomsburg.

Mr. Sterner suggested this ordinance have further review and be discussed at the next meeting.

Ms. Goodman-Hinnershitz questioned if this would apply to facilities holding events such as wedding receptions. Chief Heim noted that this type of facility may be added as an exemption.

Chief Heim noted that the purpose and extent of the ordinance needs to be further explored.

The Public Safety Committee meeting adjourned at 8:03 p.m.

Respectfully submitted by Shelly Katzenmoyer, Deputy City Clerk